

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

BP.028 US2

First Inventor

Jenni L. Butler

Title

COMPOSITIONS METHOD
FOR IMPROVING CARDIOVASCULAR

Express Mail Label No.

ET943 0882 5648

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 23]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets _____]
5. Oath or Declaration [Total Sheets _____]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 09/917,292

Prior application information:

Examiner M^cIntosh

Art Unit: 1623

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number: _____

OR ☒ Correspondence address below

Name	Kathleen Terry				
Address	Bioenergy, Inc				
City	13840 Johnson St. NE				
Country	Ham Lake	MN	State	MN	Zip Code
Telephone	763 757 0032		Fax	763 757 0880	
Name (Print/Type)	Kathleen R. Terry		Registration No. (Attorney/Agent)	31 884	
Signature	Kathleen R. Terry		Date	23 Oct 03	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

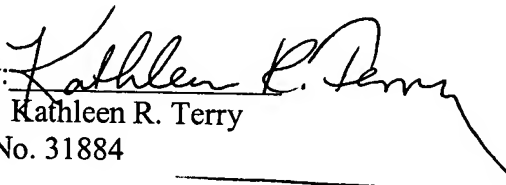
Applicant: Terri L. Butler et al.
Title: COMPOSITIONS AND METHODS FOR IMPROVING
CARDIOVASCULAR FUNCTION

Docket No.: BP012US1 Serial No.: 09/917,292
Filed: July 27, 2001 Due date: October 15, 2003
Examiner: Traviss C. McIntosh III Group Art Unit: 1623

Commissioner for Patents
MS AF
Box 1450
Alexandria, VA 22313-1450

I am transmitting herewith the following:

- ☒ Petition for One-Month Extension of Time
- ☒ Check for \$55 for extension
- ☒ Continuation Patent Application—original Specification and Claims (23 pages)
- ☒ Check for \$385 for filing fee, small entity
- ☒ References cited in the parent case (1 page)
- ☒ Oath and Declarations filed in the parent case (4 pages)
- ☒ Preliminary Amendment (4 pages)
- ☒ Postcard

By: 
Kathleen R. Terry
Reg. No. 31884

Correspondence Address:
Bioenergy, Inc.
13840 Johnson St. NE
Ham Lake, MN 55304

Certificate under 37 CFR 1.10: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service Express Mail, mailing label number ET943088256US, in an envelope addressed to: Commissioner for Patents, MS AF, Box 1450, Alexandria, VA 2313-1450 on this 23 day of October, 2003.

